

<b>0010/PTO</b> Rev. 6/95	<b>U.S. Department of Commerce</b> Patent and Trademark Office	<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION</b>	Attorney Docket Number	20852-05135
		First Named Inventor	Tian Shen	
		COMPLETE IF KNOWN		
		Application Number	Not yet known	
		Filing Date	May 8, 2001	
		Group Art Unit	Not yet known	
		Examiner Name	Not yet known	
<input checked="" type="checkbox"/> Declaration Submitted with Initial Filing      OR <input type="checkbox"/> Declaration Submitted after Initial Filing				

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**VARIABLE RATE HIGH-SPEED INPUT AND OUTPUT IN OPTICAL COMMUNICATION NETWORKS**

the specification of which

(Title of the Invention)

☒ is attached hereto

OR

☐ was filed on (MM/DD/YYYY) [ ] as United States Application Number or PCT International Application Number [ ] and was amended on (MM/DD/YYYY) [ ] (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations. § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 (a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority	Certified Copy Attached?	
			Not Claimed	YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority sheet attached hereto:

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental sheet attached hereto.
60/211,819	06/15/2000	

DECLARATION				Page 2	
<p>I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.</p>					
U.S. Parent Application Number	PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)		
09/571,349	05/16/2000				
09/405,367	09/24/1999				
<input type="checkbox"/> Additional U.S. or PCT international application numbers are listed on a supplemental priority sheet attached hereto.					
<p>As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:</p>					
Name		Registration Number	Name		Registration Number
Greg T. Sueoka		33,800	Eileen A. Lehmann Michael W. Farn		39,272 41,015
<input type="checkbox"/> Additional attorney(s) and/or agent(s) named on a supplemental sheet attached hereto.					
<p>Please direct all correspondence to:</p> <p style="text-align: center;"><b>Eileen A. Lehmann Fenwick &amp; West LLP Two Palo Alto Square Palo Alto, CA 94306 U.S.A.</b></p>					
Telephone		(650) 858-7246		Fax	(650) 494-1417
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>					
<b>Name of Sole or First Inventor:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name	Tian	Middle Initial		Family Name	Shen
Inventor's Signature				Date	
Residence: City	Los Gatos	State	CA	Country	U.S.A.
Mailing Address					
Mailing Address					
City	Los Gatos	State	CA	Zip	
				Country	U.S.A.
<input checked="" type="checkbox"/> Additional inventors are being named on supplemental sheet(s) attached hereto					

DECLARATION					ADDITIONAL INVENTOR(S) Supplemental Sheet			
<b>Name of Additional Joint Inventor, if any:</b>					<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name	<b>Robert</b>	Middle Initial	<b>B.</b>	Family Name	<b>Clarke</b>	Suffix	<b>Jr.</b>	
Inventor's Signature						Date		
Residence: City	<b>Santa Clara</b>	State	<b>CA</b>	Country	<b>U.S.A</b>	Citizenship		
Mailing Address								
Mailing Address								
City	<b>Santa Clara</b>	State	<b>CA</b>	Zip		Country	<b>U.S.A</b>	
<b>Name of Additional Joint Inventor, if any:</b>					<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name	<b>Thomas</b>	Middle Initial	<b>J.</b>	Family Name	<b>Roman</b>	Suffix		
Inventor's Signature						Date		
Residence: City	<b>Fremont</b>	State	<b>CA</b>	Country	<b>U.S.A</b>	Citizenship		
Mailing Address								
Mailing Address								
City	<b>Fremont</b>	State	<b>CA</b>	Zip		Country	<b>U.S.A</b>	
<b>Name of Additional Joint Inventor, if any:</b>					<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name	<b>David</b>	Middle Initial	<b>B.</b>	Family Name	<b>Upham</b>	Suffix		
Inventor's Signature						Date		
Residence: City	<b>Sunnyvale</b>	State	<b>CA</b>	Country	<b>U.S.A</b>	Citizenship		
Mailing Address								
Mailing Address								
City	<b>Sunnyvale</b>	State	<b>CA</b>	Zip		Country	<b>U.S.A</b>	
<b>Name of Additional Joint Inventor, if any:</b>					<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name	<b>David</b>	Middle Initial	<b>A.</b>	Family Name	<b>Pechner</b>	Suffix		
Inventor's Signature						Date		
Residence: City	<b>San Jose</b>	State	<b>CA</b>	Country	<b>U.S.A</b>	Citizenship		
Mailing Address								
Mailing Address								
City	<b>San Jose</b>	State	<b>CA</b>	Zip		Country	<b>U.S.A</b>	
<input checked="" type="checkbox"/> Additional inventors are being named on supplemental sheet(s) attached hereto								

DECLARATION					ADDITIONAL INVENTOR(S) Supplemental Sheet			
<b>Name of Additional Joint Inventor, if any:</b>					<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name	Laurence	Middle Initial	J.	Family Name	Newell	Suffix	Jr.	
Inventor's Signature					Date			
Residence: City	Saratoga	State	CA	Country	U.S.A	Citizenship		
Mailing Address								
Mailing Address								
City	Saratoga	State	CA	Zip		Country	U.S.A	
<b>Name of Additional Joint Inventor, if any:</b>					<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name		Middle Initial		Family Name		Suffix		
Inventor's Signature					Date			
Residence: City		State		Country		Citizenship		
Mailing Address								
Mailing Address								
City		State		Zip		Country		
<b>Name of Additional Joint Inventor, if any:</b>					<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name		Middle Initial		Family Name		Suffix		
Inventor's Signature					Date			
Residence: City		State		Country		Citizenship		
Mailing Address								
Mailing Address								
City		State		Zip		Country		
<b>Name of Additional Joint Inventor, if any:</b>					<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name		Middle Initial		Family Name		Suffix		
Inventor's Signature					Date			
Residence: City		State		Country		Citizenship		
Mailing Address								
Mailing Address								
City		State		Zip		Country		
<input type="checkbox"/> Additional inventors are being named on supplemental sheet(s) attached hereto								